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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/521,769  | 03/09/2000  | Peter C Johnson      | 99-40165-US         | 3731             |
| 22881   | 7590        | 10/20/2004           | EXAMINER            |                  |
| Icoria, Inc.<br>108 T.W. ALEXANDER DRIVE<br>P O BOX 14528<br>RTP, NC 27709-4528 |             |                      | MARSCHER, ARDIN H   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 1631                |                  |

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| ART UNIT | PAPER |
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101504

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**Commissioner for Patents**

The communication, filed on 7/19/04, is non-responsive to the prior Office action, mailed 2/18/04, because of improper amending for the specification. It is noted that replacement paragraphs are required rather than the insertions cited 7/19/04, regarding the specification on pages 20, 23, and 28. Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is required to complete the response within a time limit of one month from the date of this letter or as extended as follows. **AN EXTENSION OF THIS TIME LIMIT MAY BE GRANTED UNDER EITHER 37 C.F.R. ' 1.136(a) OR (b) UP TO A MAXIMUM OF SIX MONTHS.**

Papers related to this application may be submitted to Technical Center 1600 by facsimile transmission. Papers should be faxed to Technical Center 1600 via the Central PTO Fax Center. The faxing of such papers must conform with the notices published in the Official Gazette, 1096 OG 30 (November 15, 1988), 1156 OG 61 (November 16, 1993), and 1157 OG 94 (December 28, 1993)(See 37 CFR § 1.6(d)). The Central PTO Fax Center number is (703) 872-9306.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ardin Marschel, Ph.D., whose telephone number is (571) 272-0718. The examiner can normally be reached on Monday-Friday from 8 A.M. to 4 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward, Ph.D., can be reached on (571) 272-0722.

Any inquiry of a general nature or relating to the status of this application should be directed to Legal Instrument Examiner, Tina Plunkett, whose telephone number is (571) 272-0549.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

October 15, 2004  
09/521,769

*Ardin H. Marschel* 10/18/04  
**ARDIN H. MARSCHEL**  
**PRIMARY EXAMINER**